

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JAMILLA CLARK and ARWA AZIZ, on Behalf of  
Themselves and Others Similarly Situated, and  
TURNING POINT FOR WOMEN AND  
FAMILIES,

Plaintiffs,

-against-

CITY OF NEW YORK,

Defendant.

Case No.: 18-cv-02334 (AT)(KHP)

**DECLARATION OF  
ALBERT F. CAHN**

Albert Fox Cahn, an attorney duly admitted to practice in the Southern District of New York, declares under penalty of perjury:

1. The Surveillance Technology Oversight Project (“S.T.O.P.”) is a non-profit advocacy organization and legal services provider that fights for privacy and works to abolish local governments’ systems of mass surveillance, particularly in New York. S.T.O.P. works to ensure that technological advancements do not come at the expense of age-old rights and has handled other class actions in federal court.

**Calculated Lodestar for S.T.O.P.**

<b>INDIVIDUAL</b>	<b>HOURS</b>	<b>RATE</b>	<b>TOTAL</b>
Albert F. Cahn	736	\$400	\$294,400.00
David Siffert	39.85	\$400	\$15,940.00
Nina Loshkajian	9.25	\$300	\$2,775.00
Web Developer	5.00	\$200	\$1,000.00
<b>Total</b>	<b>790.1</b>		<b>\$314,115.00</b>

2. The chart above illustrates the number of hours billed by S.T.O.P. litigating this case and

a total of all of the attorneys' fees S.T.O.P. has expended on this case.

**The Hours Expended and that Will Be Expended on This Case Are Reasonable**

3. The number of hours expended by Class Counsel is reasonable, especially in comparison to the extraordinary result achieved for Class Members. As a result of the significant time invested by Class Counsel in litigating the case, pursuing every avenue of success across six years, negotiating a monetary settlement with significant and favorable non-monetary settlement terms, diligently and creatively overseeing notice to the class, and ensuring that notices and claim forms would be easy to understand and simple to file, 560 of Class Members submitted valid claims, resulting in a total monetary award of \$8,163,750.00 as of October 7, 2024.

4. S.T.O.P. worked on this case from pre-filing investigation through discovery and settlement negotiation and during settlement administration.

5. All of this time was entered into our system. The attorneys at S.T.O.P. all record their time in all cases by typing into a computer program maintained for the purpose of tracking time and costs. The attorneys and staff record the date and total time spent on a given matter that date, the tasks performed for the matter, and the amount of time each task took.

6. I have reviewed the time records documenting the time spent by myself and other S.T.O.P. attorneys on litigating this case and certify that the records reflect the work reasonably and necessarily performed by S.T.O.P. attorneys in connection with this case.

**S.T.O.P.'s Hourly Rates Are Reasonable and Standard in the Market**

7. S.T.O.P. is a non-profit advocacy organization and legal services provider that focuses on privacy rights and works to abolish local governments' systems of mass surveillance, particularly in New York.

8. The primary S.T.O.P. attorneys who worked on this case are myself and legal director David Siffert.

9. S.T.O.P.'s rates are: \$400 per hour for David Siffert and myself.

10. Based on my knowledge of the New York City legal market, these are all reasonable rates in light of the experience, expertise, and qualifications of these attorneys and paralegals and the prevailing market rates for similarly qualified attorneys in New York City, and these far lower than we have received for our work in other legal matters.

11. S.T.O.P. handles primarily contingency cases and would not have recovered fees if it did not prevail. The requested rates are particularly reasonable because the risk of little or no recovery in this case was very high at the time Plaintiffs filed this lawsuit. Had Class Counsel not succeeded, we would have received no payment for our work.

### **Background and Qualifications of S.T.O.P. Attorneys**

12. I, Albert Fox Cahn, am the Surveillance Technology Oversight Project's (S.T.O.P.'s) founder and executive director. I am also a Practitioner-in-Residence at N.Y.U Law School's Information Law Institute and a recent fellow at the Harvard Kennedy School's Carr Center For Human Rights Policy, Yale Law School's Information Society Project, Ashoka, and TED. I am a national expert on emerging civil rights topics, having published more than 150 articles in the New York Times, Washington Post, Atlantic, and other leading outlets. I lectured on civil rights law at dozens of law schools and colleges, and I advise federal, state, and local regulators. My TED Talk on civil rights and technology was viewed more than 500,000 times, I have been interviewed for thousands of articles in news outlets around the world, and I am currently under contract with Cambridge University Press to publish a related book next year. I received my *Juris Doctor, cum laude*, from Harvard Law School and I began my career more than a decade ago as an antitrust associate for Weil, Gotshal & Manges, LLP.

13. David Siffert is the Legal Director of the Surveillance Technology Oversight Project

(S.T.O.P.). Siffert is also the Director of Research & Projects at the Center on Civil Justice at NYU School of Law and an Adjunct Professor of Clinical Law at NYU. Prior to joining S.T.O.P., Siffert was a civil litigator at Boies, Schiller & Flexner and a tax attorney at Gibson, Dunn & Crutcher. Siffert also serves as Vice President and Board Member of the non-profit Friends of Marcy Houses and as a member of the New York County Democratic Committee. Siffert clerked for Hon. Robert S. Smith, Associate Judge of the New York Court of Appeals, and Hon. Barbara S. Jones, United States District Judge for the Southern District of New York and is an alumnus of New York University School of Law ('09) and the University of Chicago (AB '06).

Dated: October 11, 2024

New York, New York

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/s/

ALBERT F. CAHN